

April 14, 2020

Consumer & Governmental Affairs Bureau
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

RE: Public Notice Comments on the Accessibility of Communications Technologies to inform the 2020 CVAA Biannual Report to Congress (CG 10-213)

The American Council of the Blind (ACB) thanks the Federal Communications Commission (Commission) for this opportunity to comment on the Commission's Public Notice seeking input on the 2020 Biannual report to Congress required by the 21st Century Communications and Video Accessibility Act (CVAA)(PL 111-260)(DA 20-216).

ACB is a leading national grassroots consumer-based advocacy group for Americans who are blind and visually impaired. Comprised of over 70 state and special-interest affiliates, The American Council of the Blind strives to increase the independence, security, equality of opportunity, and quality of life for all blind and visually impaired people.

For nearly ten years, We have worked to codify and implement the CVAA. We believe the CVAA has largely increased the availability of accessible wireless devices and communications options for people with disabilities. As we near the tenth anniversary of the CVAA, we remain committed to protect the requirements of the CVAA and to ensure the most accessible technology and telecommunications experience for all consumers.

Mobile and wireless devices continue to show great innovation and provide enhanced access for people with disabilities. Native screen readers for smartphones are becoming increasingly dynamic and offering a seamless experience for consumers. Additionally, it is becoming more common for smartphones to connect to peripheral assistive technology devices such as a braille display or braille note taker. For example, a subscriber of Apple TV Plus now has the choice of video content with 9 languages of audio description, 40 languages of closed captioning, and a Deaf blind consumer may read the closed captions in braille on a Bluetooth connected braille display.

Smartphone manufacturers have continued the seamless integration of screen readers into Internet browsers. Internet browsers, such as Apple Safari and Google Chrome, offer a robust web experience when navigating with Apple VoiceOver and Google Talk Back. The greatest innovations since the past Biannual Report to Congress have come with the improved accuracy and expanded capabilities of voice assistants. These voice assistants, such as Apple Siri, Amazon Alexa, and Alphabet's Okay Google, allow a user to control their device, search the Internet and complete numerous skills through voice commands. Once configured properly, these voice assistants are vital tools that provide non-visual and non-physical control of smartphones as well as other smart devices.

The growth of the Internet of Things (IOT) market continues to offer boundless potential and accessibility challenges for disabled consumers. Many smart speakers and smart home appliances, like thermostats, video-capable doorbells, and home appliances allow for quick set-up and control using a smartphone or Internet-connected mobile device. However, these products lack built-in out-of-the-box

accessibility native to their own hardware, and instead, rely on the accessibility suite of a consumer's mobile device. As a result, these IOT devices are not accessible to consumers who do not use or cannot afford a smartphone with native accessibility features.

The current COVID-19 pandemic crisis brings to light the need for all video communications platforms, in addition to audio and text advanced communications services to be accessible. Whether for students learning remotely, employees continuing to work from home, or individuals seeking remote health diagnosis, it is clear that society is moving toward video communications services to provide distance learning, teleworking and remote healthcare. The Commission must define interoperable video communications services to include all two-way communications services between devices that include any combination of video, audio and text communications, and mandate that these services are covered by the accessibility requirements for advanced communications services.

As the Commission noted in the 2018 Biannual Report to Congress, non-smartphones continue to lag the market in offering robust accessibility features for consumers. According to research performed by the Georgia Institute of Technology Rehabilitation Engineering Research Center for Wireless Inclusive Technologies (Wireless RERC) and shared with the Commission in 2017, this discrepancy is greatest for consumers who receive wireless service through the Lifeline program. The Wireless RERC found that in addition to lacking the accessibility features in devices available to the general public, only 17% of Lifeline devices are capable of receiving Wireless Emergency Alerts. The Commission must mandate that all Lifeline eligible devices receive and display in an accessible format Wireless Emergency Alerts, so that vulnerable citizens, including those with disabilities, are not placed at greater risk due to not receiving Wireless Emergency Alerts.

The significant deep concerns over third-party development of content raised by ACB in comments for the 2018 Biannual Report to Congress persist: "The ongoing failure for the Department of Justice to issue clear guidance on web accessibility standards under Titles II and III of the Americans with Disabilities Act (ADA) remains a major issue for access to web content. While this issue is outside the regulatory scope of the Commission, it remains interconnected in so much as to say that key concerns over accessibility under Section 718 are with independent content providers, who continue to fail to script their content in a manner that adheres to international standards set forth in WCAG 2.0. Mobile applications cover every scope of creativity, productivity, and social networking ventures. Communications technologies frequently thrive within this space. However, there are no real concrete benchmarks that guarantee accessibility remains consistent. Even for developers who have a solid track record of producing accessible content, OS updates and other variable factors can result in broken applications resulting in failure to participate equally on mobile applications and across mobile platforms."

ACB thanks the Commission for the opportunity to provide comments on the 2020 CVAA Biennial Report to Congress. If the Commission has any questions regarding these comments, please feel free to contact Clark Rachfal: crachfal@acb.org, 202-467-5081.

Sincerely,

A handwritten signature in black ink, appearing to read "Clark Rachfal", with a stylized flourish at the end.

Clark Rachfal
Director of Advocacy and Governmental Affairs